

Waste Lands (Ireland) Bill.

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Clause.

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Clause.

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TO

Improve and redeem Waste Lands in Ireland.

A.D. 1883.

WHEREAS an Act was passed in the session of Parliament held in the tenth year of Her present Majesty, entitled "An Act to facilitate the Improvement of Landed Property in Ireland:"

And whereas an Act was passed in the session of Parliament held 5 in the twenty-sixth and twenty-seventh years of the reign of Her present Majesty, entitled "The Drainage and Improvement of Lands (Ireland) Act, 1863:"

And whereas an Act was passed in the session of Parliament held in the thirty-third and thirty-fourth years of the reign of Her 10 present Majesty, entitled "The Landlord and Tenant (Ireland) Act, 1870:"

And whereas it is expedient to amend said last-mentioned Act, and to extend the powers conferred by said Acts respectively for the more effectual drainage and reclamation of waste lands in 15 Ireland, and to facilitate the granting of loans by the Commissioners of Public Works in Ireland for said purposes, and for the purchase of lands by tenants in Ireland:

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, 20 and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as "The Waste Lands (Ireland) Act, 1883." Short title.

2. This Act shall extend to Ireland only. Extent of Act.

25 3. "Watercourse" shall include all rivers, streams, drains, sewers, and passages through which water flows. Interpretation of terms.

"Person" shall include any body of persons corporate or unincorporate, unless there is something in the context inconsistent therewith.

30 "Commissioners" shall mean Her Majesty's Commissioners of Public Works in Ireland for the time being, or any one or more of them.

[Bill 92.]

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"Proprietor" shall have the same meaning as the word "owner" in the Landlord and Tenant (Ireland) Act, 1870, and shall include "absolute owner," "tenant for life," and other limited owner as therein defined, and "owner" shall have the same meaning as it has in the "Lands Clauses Consolidation Act, 1845."

"District" shall mean and include the lands mentioned, described, or referred to in the maps and plans or schedules as approved of by the Commissioners of Public Works.

"Land" shall mean and include all arable, pasture, or otherwise profitable land, and all waste uncultivated land, and shall also extend to messuages, tenements, mills, weirs, easements, fisheries, and other hereditaments corporeal or incorporeal, and any estate or interest therein, and any undivided part thereof, or any of them.

"Waste lands" shall be deemed to mean and include all mountain and other bog land, and all out-away bog land which shall not have been completely drained and rendered fit for profitable cultivation, all wet lands or lands lying partially or wholly under water and incapable of proper cultivation for want of draining, all moor lands, common fields, or commons and uncultivated lands which, on the average of the entire tract, would not let for more than five shillings per acre per annum, but which are capable of being made worth at least ten shillings per acre per annum, and all slob, tidal, or riparian lands which are partially or periodically covered with the waters of any sea, lake, or river which, by the lowering of such waters, would be left high and dry, or capable of cultivation.

Constitution
of district.

4. Any person or persons interested in any land liable to be flooded or injured by water, or the drainage whereof may be capable of being improved, or any waste lands, may, with the consent of the Commissioners, constitute such land or other area of land a separate drainage and reclamation district.

Commis-
sioners to be
a body cor-
porate.

5. The Commissioners for the purposes of this Act shall be a body corporate, and possess a common seal.

Proceedings
to be taken
for obtaining
preliminary
award of
Commis-
sioners.

6. The following proceedings shall be taken for the purpose of obtaining the sanction and preliminary award of the Commissioners: A petition shall be presented to them by one or more persons interested in the proposed district, stating the proposed boundaries of the district by reference to a map, or in such other manner as they shall think expedient, and also stating the exigencies which render the formation of such district for drainage and reclamation, or either of them, necessary. It shall be signed by the petitioners, and shall be accompanied by a map copied or traced from the ordnance sheet, and on a scale of not less than six inches to the

mile, showing the land to be drained or improved by such drainage, and showing in one or more schedules annexed thereto or accompanying the same the reputed proprietors and occupiers thereof, and showing, so far as may be possible, the line, course, and situation of the stream, watercourses, drains, rivers, and lakes intended to be cleared, scoured, or embanked, and the requisite variations, diversions, abridgments, or enlargements of the same, and the directions and extent of any new drain, watercourses, or works necessary to be made, and the land in and through which the same are to be made, and the deepening or extension of any outfall, river, or lake lying on or passing through or over any adjacent land lying outside the area of the proposed district, and necessary to be deepened or extended for the purposes of such drainage; and in the event of any waste or unprofitable land being adjacent to or in connexion with the said land proposed to be drained and capable of being drained, improved, or reclaimed in connexion therewith, the same shall be coloured brown, or otherwise distinguished from the said first-mentioned land; and the said Commissioners shall cause to be made copies of the said schedules and maps, and shall cause such copies to be deposited in such convenient place or places as the said Commissioners shall think proper within or in the immediate vicinity of the district, and with the clerks of the peace of the county or counties in which such land or the river, lake, or outfall shall be situate, there to remain open for the public inspection at all reasonable times for three successive weeks, and all persons shall be at liberty to inspect and make copies of or extracts from the said schedules and maps, and copies thereof or extracts from shall be made for any person who shall require the same on payment of the costs of making such copies or extracts.

7. The said Commissioners shall cause notice, stating the place or places in which copies of the said schedules and map have been deposited as aforesaid, to be lodged with the clerk or clerks of the peace of the counties in which the said district and outfall shall be situate, and cause the same to be published in some newspaper usually circulated in the district in which the land or river or part of a river proposed to be drained or reclaimed shall be situated, or in the vicinity thereof, and also to be served on the proprietors, either personally or by forwarding same by post in a prepaid letter to the usual or last known place or places of abode of such proprietors; and in all cases when it shall be proposed to take or remove any mills or factory or other work or obstruction connected with such mill or factory a copy of such notice shall be served on the owner, lessee, or occupier or person in charge of such mill or factory, and

A.D. 1883.

Notice of
lodgment of
schedules
and map of
proposed
district by
the Commis-
sioners.

A.D. 1883.

be posted on the door or wall thereof, and where it shall be proposed to purchase any waste land in connexion with any such drainage the same shall be served on the proprietor or proprietors thereof in manner first aforesaid, stating at foot that the said waste land (mentioning the area or reputed area thereof) is to be purchased for the purpose of reclamation if approved, and the petitioners shall by the same notice specify their intention of having an inspector sent to the district before whom all persons interested in the proposed works and purchase, or either, as the case may be, or having any objection thereto, shall be required to appeal at a time and place then or to be thereafter named by that or any subsequent notice.

Inspector and engineer to be sent by Commissioners to report on proposed district.

8. After the expiration of the said period of three weeks, and before the holding of any meeting, the said Commissioners shall send an inspector, accompanied by an engineer, to the district for the purpose of making inquiries as to the propriety of constituting the proposed district and reclaiming or purchasing such waste lands, and as to the assent of the proprietors thereto, and for making such detailed plan, maps, schedules, and estimates, and ascertaining the price or value of such waste land and other the works as hereinafter provided in connexion with the proposed drainage and reclamation thereof, and they shall deliver to such inspector the schedules and map which shall have been deposited with them under the provisions herein-before contained. The persons so sent as inspector and engineer by the Commissioners shall in no case be the same person who may have previously reported for the petitioners, nor shall the persons so sent by the Commissioners be afterwards in any way employed in the execution of any of the works in the district.

After making necessary inquiries, and preparing detailed plans, estimates, &c., inspector to hold meetings to consider objections.

9. After the inspector and engineer shall have proceeded to the district and made all necessary inquiries with respect to the propriety of constituting such district, and also with respect to the area of land to be comprised therein, and the waste land to be reclaimed or purchased in connexion with the drainage of such district, and prepared detailed plans, schedules, and estimates of the works to be constructed, the said inspector shall at the time and place mentioned in such notice as aforesaid, or at such other time and place as the petitioners may by any further notice appoint, attend and shall have power to adjourn from time to time or hold such new meeting as such inspector shall deem necessary, and shall inquire into and ascertain the correctness of the schedules so lodged as aforesaid, and shall produce for the inspection of the persons in the said schedules named detailed plans, sections, maps, and estimates

of the works proposed to be executed, including in such estimate the probable amount of money payable as compensation in respect of any injury likely to be occasioned by such works, or for the purchase of any waste or other land, houses, fisheries, weirs, mills, or other property required to be taken or purchased for the purpose of the said drainage or reclamation and other miscellaneous expenses likely to be incurred; and such schedules shall also set forth the then actual value of the land to be drained or improved by drainage and the waste land proposed to be reclaimed by the proposed works so far as he shall be able to ascertain the same, and the probable increase in such value by the proposed works, and such actual value and estimated increase and such purchase money of waste land (if any) shall be stated in the said schedules, and also the proportions in which such lands should contribute towards the payment of the costs of the proposed works, specifying such proportions in the rates of the estimated increase in the value of such land, and in the case of the purchase of waste lands adding such proportion to the estimate purchase money thereof, and also specially report on the value and extent of such waste land, and the mode in which it may be capable of improvement and reclamation, and the estimated increase in the value thereof to be thereby affected, and the drains, roads, bridges, and other works to be executed for the said purpose, and the respective proprietors and occupiers of the said waste lands and the estimated value of their respective interests, and such other particulars in respect thereof as he shall, having regard to the provisions of this Act, deem necessary and advisable, and shall hear all such objections as shall have been or shall then be made by any person or persons interested in the said lands, river, or outfall, or any person on his or their behalf, as to any omission or misdescription in such schedules or any name improperly inserted therein, and shall hear all other objections as shall have been or shall be then made by such person or persons to the schedules, maps, plans, sections, and estimates which shall have been or be then made; and the said inspector shall also hear and inquire on oath (which he is hereby authorised to administer) or otherwise into all such objections by any of the persons aforesaid to the proposed works as shall have been or shall then be made, and also all objections to the stated value of the land, as to the stated probable increase in such value, and the proposed purchase money as the same shall be respectively set forth in the said schedules, and also into all such objections as shall have been made or shall then be made by or on behalf of the owner, lessor, or occupier or other person interested in any mill or factory likely to be affected by

A.D. 1888.

Contents of estimates.

Contents of schedules.

Report of inspector.

Inquire into objections.

A.D. 1863.

Adjourn of
meetings.

anything proposed to be done in such district or in respect of the waste lands proposed to be reclaimed or purchased as aforesaid, and after having considered all such objections he shall cause such alterations (if any) as he may deem advisable to be made in the said schedules, maps, plans, sections, and estimates; and in the event of his considering it expedient further to adjourn the said meeting or meetings for the purpose of further considering the said objections or otherwise in respect aforesaid, he shall have power so to do from time to time, and at the said meeting or adjourned meeting he shall finally sign the same, and such schedules, maps, plans, sections, and estimates so signed by the said inspector, and countersigned by the said inquirer, shall be preserved by the said Commissioners in their office in Dublin, and a copy thereof shall be deposited by the said inspector with the clerk of the peace of each county wherein such works are proposed to be executed, and shall be open to public inspection at all reasonable times on payment of a fee of *one shilling*.

Powers of
inspector and
engineer.

10. The inspector and engineer sent by the Commissioners in pursuance of this Act shall each have all the powers, privileges, and authority for entry on lands or otherwise, and imposing penalties for obstruction or otherwise, as is contained in said "Drainage and Improvement of Lands (Ireland) Act, 1863," in respect of the inspector therein mentioned.

Report of
inspector and
engineer to
be lodged by
Commissioners,
and notice of
same to be
given and
objections
thereto to be
considered
by Commissioners,
and if report
approved and
assent obtained
of one
half of the
proprietors
and occupiers,
the district
commissioner to
make a preliminary
award constituting
this district.

11. The inspector shall report the result of his inquiries to the Commissioners, who shall lodge copies of such report with the clerk or clerks of the peace respectively, and shall forthwith cause a notice, stating that the said report has been so lodged, to be published in some newspapers usually circulated in the proposed district, and objections in writing to the said report or any part thereof may, within *one month* from the lodging of the said report, be served on or transmitted by post to the said Commissioners at their office in Ireland, by or on the part of any proprietor in the proposed district, and the said Commissioners, after having considered such objections (if any) may, if satisfied with the said report and the propriety of constituting the district, and that one half at least of the number of proprietors and occupiers conjointly in the district as proposed are in favour thereof, and have, subsequently to the report of such inspector, assented thereto in writing, make a preliminary award under their seal, declaring the area in such preliminary award mentioned or referred to be a drainage district: Provided that no such preliminary award shall be made authorising the removal of or injurious interference with any milldam, millrace, weir, or any

other like obstruction whereby the level of water is raised by milling or other purpose of profit, unless upon the report of their inspector they shall be satisfied that any injury that may be caused thereby is of a nature to admit of being fully compensated for by money or works; and in the said preliminary award the Commissioners shall also set forth the area of any waste lands proposed to be purchased by them for reclamation and subsequent cultivation by occupiers, and the purchase money proposed to be paid for the same, and all other matters connected with such drainage and reclamation as the Commissioners shall think advisable, and such preliminary award shall also limit the time within which the works in any such district shall be completed, and the several other matters and things herein-after mentioned.

12. Notice of the preliminary award shall be published by the Commissioners in the Dublin Gazette, the Irish Times, the Freeman's Journal, and the Evening Mail, and in some newspaper circulating in the district to which it relates, and copies of said notices shall also be served on such persons and in such manner as the Commissioners shall direct.

A.D. 1883.

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Notice of preliminary award to be published.

13. Upon the expiration of *one month* from the last of such publications, it shall be the duty of the Commissioners to have the said preliminary award confirmed by obtaining the seal and signature thereto of the Lord Lieutenant for the time being, and when so confirmed it shall be deemed to have and shall have the effect of a Public General Act of Parliament, and take effect accordingly, but previous to such confirmation it shall not be of any validity whatsoever.

One month after publication of award Commissioners to have same confirmed by the Lord Lieutenant.

14. Whether the drainage district be constituted or not, all costs, charges, and expenses, including the expense incurred by reason of the presenting of the petition and of the appointment of such inspector and engineer, shall be defrayed out of the moneys in their hands for the purpose of loans, by and with the sanction of the Commissioners of Her Majesty's Treasury, and subject to such rules, regulations, and conditions as the said Commissioners of the Treasury may from time to time think fit.

Cost and expenses of proceedings to be defrayed out of the funds in hands of Commissioners for purpose of loans, subject to the sanction of Her Majesty's Treasury.

15. The confirmation of such award shall be conclusive evidence that the requirements of this Act in respect of proceedings required to be taken previously to the making of such award have been complied with.

Award conclusive evidence.

16. It may be lawful for the Commissioners to extend the time by any such award limited for the completion of any such proposed

Commissioners may extend the

[92.]

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A.D. 1882.

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times for
completion
of works.Power to
Commissioners to
execute
works.

works to any such further time, not exceeding in the whole *seven years*, as they may from time to time think right; also to sanction within such extended period or periods the purchase of such additional land either for reclamation or for the execution of the proposed works as may appear to them to be necessary or advisable. 5

17. It shall be lawful for the Commissioners to contract with or employ such contractors, surveyors, agents, and workmen as they shall think fit, and to make and execute all such works as shall be described in the detailed maps, plans, and sections herein-before mentioned, or such deviations therefrom, or such other works as the Commissioners shall from time to time deem necessary for effecting all or any of the purposes of this Act, and for such purposes by themselves, their engineers, contractors, surveyors, agents, and workmen to enter into and upon any land whatsoever, and to widen, straighten, deepen, divert, scour, or cleanse any river, stream, drain, brook, pool 10 or watercourse running through such land, and to make, open, and cut in or upon the same, or any new watercourse, side-cut, ditch, or drain, and to alter or remove any bank, sluice, flood-gate, drain, tunnel, or other works necessary for drainage or reclamation, and to dam, bar, and stop up with any weir or dam any river, brook, pool, 15 stream, or watercourse, and also to make upon such land any embankment against the sea or any lake, river, stream, or watercourse, and to put and place on such land any piles, stones, earth, soil, or other materials for the purposes of the works, or for the more effectual protection or defence of such land, or for the better 25 conveying the waters from the said land into the sea or into any river, lake, stream, or watercourse, whether within or without the boundary of the district, and also to form any dam and to erect any sluice, hatch, or lock in any river, lake, stream, or watercourse for the purpose of supplying water to any mill or factory, or of keeping 30 back a sufficiency of water for the use of cattle or for the irrigation or warping of lands where such irrigation or warping shall be wanted and shall be a beneficial manurance to such lands, and also to stop up or divert any road or remove any bridge, and to make any new road or bridge, and also from time to time to repair, alter, 35 or remove any sluice, flood-gate, hatch, tunnel, road, or other works now made or to be made as aforesaid, and to divert, deepen, widen, cleanse, and scour any outfall, ditch, drain, watercourse, or side-cut now existing or to be made as aforesaid, and to plant or remove trees or shrubs when necessary, and to construct such houses, 40 offices, or other buildings as may be necessary for rendering waste lands or other allotments fit for occupation and cultivation as

herein-after mentioned, and also to do all such things and execute all such works as may be necessary or convenient for the purposes of this Act, making compensation to be ascertained in the manner herein-after mentioned to all persons for any damage occasioned to them by the exercise of any such powers, and in order to enable the Commissioners more effectually to construct and maintain the said works there shall be incorporated with this Act the several sections of the several Acts of Parliament herein-after mentioned, viz., the thirtieth, forty-sixth, fiftieth, fifty-fifth, fifty-sixth, fifty-ninth, sixty-first, sixty-second, sixty-third, and sixty-fourth sections of the Act fifth and sixth Victoria, chapter eighty-nine, and the twenty-eighth, twenty-ninth, and thirty-first sections of the Act sixteenth and seventeenth Victoria, chapter one hundred and thirty.

18. After the confirmation of the said preliminary award as herein-before mentioned, and after the period of one month from the publication of same as herein-before directed, the Commissioners may from time to time contract with any landlord or landlords in Ireland for the purchase of any estate or estates, consisting in the whole or in part of waste lands, at and for such price as shall be considered by the Commissioners reasonable, and may pay the purchase money and all other moneys required for the purposes of this Act out of the moneys which from time to time have been or shall be issued or authorised to be issued to the Commissioners under the Acts, or any of them, incorporated herewith.

19. Owners of waste land as herein-before and in the said Landlord and Tenant (Ireland) Act, 1870, defined shall be and are hereby enabled to contract for and convey to the Commissioners the entire estate and interest in the lands so proposed to be sold and conveyed by them, subject to the provisions of the said Acts as to the lodgment of money in court in the case of limited owners; and all owners, tenants, occupiers, or persons having rights of common, tithary way, grazing, hunting, fishing, shooting, or other rights, shall be entitled to be paid by the Commissioners out of the funds in their hands for the purposes aforesaid such compensation as shall be ascertained in respect thereof by the arbitrator in the said Drainage and Improvement of Lands (Ireland) Act, 1873, and herein-after mentioned.

20. As soon as convenient after the purchase of the said waste land by said preliminary award authorised to be purchased, the Commissioners shall cause the main or general drainage thereof to be effected to an extent sufficient to afford facilities for the thorough drainage or cultivation of the same thereafter, and shall, when

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Power to Commissioners to purchase land and enter into contracts for the purposes of this Act.

Owners of waste lands enabled to contract with Commissioners.

After purchase of waste lands works to be commenced by Commissioners, and lands to be

A.D. 1883.

divided into
farms of
from ten to
one hundred
acres.

necessary, cause suitable roads, passages, approaches, and embankments to be constructed, and shall cause said lands to be divided into allotments of from ten acres to one hundred acres, as to the Commissioners may seem most suitable for the locality and the probable requirements of occupiers, and shall cause each allotment to be suitably fenced and suitably tiled or slated houses to be erected thereon, and shall cause such other works to be effected as shall be deemed by them desirable, in order to adapt the said lands for reclamation and cultivation by occupiers, but the Commissioners shall not undertake the further reclamation or the cultivation of the said lands, it being the intent of this Act that such reclamation and cultivation shall be effected by farmers and labourers who may become occupiers and ultimately owners of said allotments under the provisions of this Act.

When main
drainage
effected and
allotments
made, lands
to be adver-
tised for sale
and letting to
occupiers.

21. When the said main or general drainage of the said waste land or any sufficient portion thereof shall have been effected, the said allotments made, and the said lands otherwise prepared for occupation in manner and to the extent aforesaid, the Commissioners shall cause advertisements to be inserted in the Dublin Gazette, the Irish Times, the Freeman's Journal, the Dublin Evening Mail, or some metropolitan daily newspaper, and any local newspaper, if any, circulating in the district or county in which such lands are situate or the counties next adjoining thereto, one insertion for each of two successive weeks in each of the said newspapers and gazette respectively, describing the said allotments and inviting tenders for the purchase thereof for the purposes of reclamation and cultivation by occupiers; and the said Commissioners shall be authorised to sell the said allotments, or any of them, for such purposes at a rate of purchase equal to a proportionate part of the price paid by the said Commissioners for the said lands and the subsequent expenditure by the Commissioners thereon, with interest at the rate of *three and a half per cent.* per annum, and upon every such sale each allotment sold shall be deemed to be charged with an annuity of *five pounds* for every one hundred pounds of the purchase money thereof, or for such portion of the purchase money as shall not have been paid by the purchaser to the Commissioners, such annuity to be limited in favour of the Commissioners and to be payable by equal half-yearly payments within a term of *thirty-five years*, to commence from the end of the second year after such sale, and the Commissioners shall cause the said terms to be distinctly described and set out in the said advertisements together with such other particulars connected with the several allotments, their situation and condition, as

A.D. 1863.

they may consider expedient; and in the event of no tender being sent in within three months from the date of the last of such advertisements, or in the event of such tender being insufficient or otherwise unsatisfactory, the Commissioners shall have power to
 5 sell or cause to be sold the said allotments, or any of them, by public auction, and upon every such sale the purchase money or any part thereof not paid shall be charged in manner aforesaid; and in the event of the biddings at such auction proving insufficient or otherwise unsatisfactory, the Commissioners shall have power to demise
 10 said allotments, or any of them, by lease, with or without fine, at such rent, for such terms, and with such covenants as the Commissioners may deem fit, but with a proviso in every such lease that the tenant may become purchaser of his allotment on the terms aforesaid, after crediting him with sales of the annuity and expenditure in money computed as aforesaid, and equivalent in amount
 15 and value to the rent theretofore paid by him in respect of his allotment.

22. The Commissioners may from time to time appoint such engineers, surveyors, agriculturists, and other officers as may be
 20 necessary for carrying this Act into execution at such salaries and at such terms as shall be deemed by such Commissioners to be reasonable.

23. After the confirmation of the preliminary award under the provisions of this Act, it shall be lawful for the Commissioners
 25 from time to time, as occasion may require, to appoint an arbitrator between them and the persons whose lands are proposed to be purchased or taken for, or which may be injuriously affected by the proposed works to which the plans and estimates deposited as herein-before provided relate, and such arbitrator shall be appointed
 30 in like manner and with the same powers, privileges, duties, and responsibilities as are provided in respect of the arbitrator to be appointed by the drainage board in the said Drainage and Improvement of Lands (Ireland) Act, 1863, reading the words "drainage board" in the Act as if the word "Commissioners" had been
 35 substituted therefor, and for the said purpose the Railways (Ireland) Act, 1857, and the Acts amending the same shall be deemed to be incorporated with this Act.

24. The Commissioners may and they are hereby empowered, in such cases as they may think fit, to adopt any proceedings heretofore commenced under the Act entitled "An Act to promote the
 40 "drainage of lands and improvement of navigation and water power "in connexion with such drainage in Ireland," and the Acts amending

Commissioners may appoint engineers, agriculturists, &c. for said purposes. Arbitrators to be appointed by Commissioners, and to have same powers as arbitrators appointed by drainage board under Act of 1863.

Commissioners may adopt any proceedings for drainage already had under former

A.D. 1863.

Acts, and
continue
them under
this Act.

the same, and also under the said Drainage and Improvement of Lands (Ireland) Act, 1863, and after giving one month's notice of such their intention the same to be served on the several proprietors in manner herein-before provided in respect of service of notices, proceed with the making of a preliminary award, or 5 other the proceedings anterior to or in connexion with the works in each district, in manner provided by this Act, adopting such preliminaries for the said purpose as shall have heretofore been complied with under the said Act as if the same had been carried out under this Act, or as near thereto as the circumstances of each 10 case and the proceedings theretofore had may, in the opinion of the Commissioners, from which there shall be no appeal, justify and require.

On comple-
tion of works
Commis-
sioners to
make final
award.

25. As soon as conveniently may be after any works for the drainage or improvement of any land under this Act, or any reclama- 15 tion of land in connexion therewith or otherwise, as herein-before authorised, shall have been completed, the Commissioners shall proceed to make a final award or awards as by the thirty-ninth and following sections of said Drainage and Improvement of Lands (Ireland) Act, 1863, is provided, or as near thereto as the 20 provisions of this Act and the nature of each case will permit; and, in addition to the awards and the terms and contents thereof so prescribed, the Commissioners shall, when in their judgment the same shall be practicable or advisable, insert in such award or in a supplemental award such particulars in respect of the reclamation 25 of waste land, if any, in connexion with such drainage or otherwise as may be advisable, including therein the area and quantities belonging to the reputed proprietor or proprietors, and the original value and increase of value, the number of allotments, and the works and the value of the same theretofore executed, the allot- 30 ments sold or leased, the names of the purchasers or tenants respectively, and the quantities of each allotment, together with the purchase money or rent for which the same were respectively sold or leased; and the draft of the said award shall be deposited and published, objections heard thereto, and when finally settled the 35 same shall be enrolled as in the said Act provided; and the costs and expenses, together with the amount expended by the Commissioners in the drainage and improvement of the district, shall be charged as in the forty-fourth section of the said Act is provided, with such modification in respect of reclamation as the case may 40 require, and such other particulars as to the Commissioners shall appear necessary and advisable.

26. After the making of the final award by the said Drainage and Improvement of Lands (Ireland) Act and this Act authorised, and the enrolment thereof as by the said Act provided, the Commissioners shall proceed to have a drainage board elected pursuant to the provisions of the said Act for the purpose of maintaining and upholding the works executed in each such district, and such drainage board shall for the said purposes have all the powers, duties, authorities, privileges, and indemnities conferred upon the drainage board by said Drainage and Improvement (Ireland) Act, 1863, save and except the powers of borrowing money, issuing debentures, and other the powers connected therewith in the said Act contained.

A.D. 1888.
Aftermaking and enrolment of final award, Commissioners to appoint a drainage board for each district maintaining the works.

27. It shall be lawful for the Commissioners after the completion of the works and the making of the final award as aforesaid, with the consent of the Commissioners of the Treasury, to borrow and take up at interest of and from any person who shall be willing to advance and lend the same, any sum or sums of money not exceeding half the amount expended in each district, and the repayment of such sum or sums of money, with interest at a rate not exceeding *five pounds* per centum per annum, shall be secured to the party lending the same upon the moneys accruing under or by virtue of the award herein-before mentioned, and the said Commissioners may and they are hereby authorized to grant securities for such sum or sums in the form of debenture under the seal of said Commissioners, and which may be in the following form or as near thereunto as the circumstances of the case will permit.

Power to
Commiss-
sioners to
raise money
to be secured
on deben-
tures charged
on the
drained or
reclaimed
land.

¹ DEBENTURE TO LENDER OF MONEY.Forms of
debauchery.

Amount £ : :

* 26 & 27 Victoria cap. 88, and 41 & 42 Viet. cap.

^c Drainage district in Ireland, county of . No.

‘ By virtue of the Acts intitled the Drainage and Improvement
‘ of Lands (Ireland) Act, 1863, and the Waste Lands (Ireland)
‘ Reclamation Act, 1878, the Commissioners of Public Works in
‘ Ireland in consideration of the sum of £ : :

sterling advanced and paid by _____ on the _____

' security of the lands drained, improved, and reclaimed in the

drainage district, county of _____, and

* the rentcharge payable under the final award of said Commis-

Witnesses dated the _____ day of _____ 18 __, do

^c hereby charge same with the repayment thereof in
^c years from this date, with interest thereon at the rate of

A.D. 1863, ' per centum per annum, payable half-yearly on the first day of
 — ' January and first day of July in each year until repaid.
 ' In witness, &c.'

And all the powers, privileges, and duties imposed or conferred on the drainage board in respect of said debentures and loans by 5 said Drainage and Improvement of Land (Ireland) Act, 1863, shall be deemed to apply to said Commissioners acting under this Act.

Waste Lands (Ireland).

A B I L L

To improve and redeem Waste Lands in
Ireland.

(Prepared and brought in by
Captain Acland, Mr. Trevelyan, and Mr. Henry
Thompson.)

Ordered, by The House of Commons, to be Printed,
19 February 1864.

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[Bill 92.]